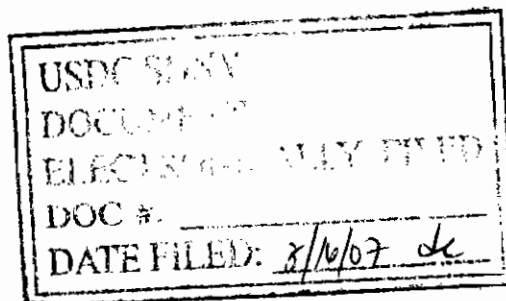


STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL



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August 10, 2007

Honorable Barbara S. Jones
United States District Judge
Southern District of New York
500 Pearl Street, Rm. 620
New York, New York 10007

Re: Laurie Kellogg v. NYS Dept. of Correctional Services, et al. /07 Cv. 2804 (BSJ)(GWG)

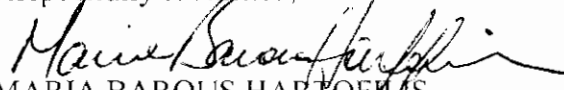
Dear Judge Jones:

I represent defendants New York State Department of Correctional Services, Armstrong, Ball, Barclay, Duncan, Goldstein, Fisher (substituted for defendant Goord), Nuttal (substituted for defendant Headley), LeClaire, Lord, Raymond (substituted for defendant Masterson), McElroy, Notaro, Perez, Roger, Schneider, Smith and Wright. On this date, a motion to dismiss the complaint, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, was filed on behalf of the foregoing defendants.

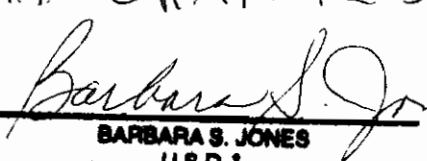
On consent, the parties propose the following briefing schedule for defendants' motion: plaintiff respectfully requests until October 10, 2007 to file opposition papers and defendants respectfully request until November 9, 2007 to file their reply papers.

Wherefore, it is respectfully requested that the foregoing briefing schedule being proposed by the parties be endorsed and adopted by the Court.

Respectfully submitted,


MARIA BAROUS HARTOFILAS
Assistant Attorney General

cc: Anthony M. Giordano, Esq.
Plaintiff's counsel

Application GRANTED

SO ORDERED
Dated: 8/16/07 BARBARA S. JONES
U.S.D.J.